

Frederick County Planning Commission

Meeting Minutes

August 5, 2009

COMMISSION MEMBERS PRESENT:

Joseph Brown
Richard Floyd
Kai Hagen, BoCC Liaison
Catherine Forrence, Vice Chair

John McClurkin
Audrey Wolfe, Chair
Robert White, Secretary

COMMISSION MEMBERS ABSENT:

PLANNING STAFF PRESENT:

Eric Soter, Director
Mark Depo, Deputy Director
John Thomas, Planner

Tim Goodfellow, Planner
John Dimitriou, Planner
Denis Superczynski - Planner

9:30 A.M.

MORNING SESSION

(3rd Floor Meeting Room)

CHAIR WOLFE BROUGHT THE MEETING TO ORDER AT 9:30 AM.

1. **PLANNING COMMISSION..... COMMENTS**
Commissioner Brown acknowledged the speed and efficiency with which the Planning Division Staff produced the binder of responses to the comprehensive plan public comments. Commissioner Wolfe expressed similar comments.
2. **AGENCY COMMENTS/AGENDA BRIEFING**
None
3. **MINUTES.....APPROVAL**
 - a. July 15, 2009 FcPc Meeting – **Approved - 6-0-0-1** - *MOTION: Brown/ 2nd Floyd*
Yea - 6 (Brown, Floyd, Forrence, Hagen, McClurkin, Wolfe), **Nay - 0, Absent - 0, Abstain - 1**(White)
 - b. July 22, 2009 FcPc Meeting - **Approved - 6-0-0-1** - *MOTION: Brown/ 2nd Forrence*
Yea - 6 (Brown, Floyd, Forrence, Hagen, McClurkin, Wolfe), **Nay - 0, Absent - 0, Abstain - 1**(White)
 - c. March 4, 2009 FcPc Meeting **Approved - 7-0-0-0** - *MOTION: Brown/ 2nd Forrence*
Yea - 7 (Brown, Floyd, Forrence, Hagen, McClurkin, White, Wolfe), **Nay - 0, Absent - 0, Abstain - 0**
4. **I-270 / RT-15 MULTIMODAL STUDY.....RECOMMENDATION**
 - a. The Division of Planning presented a summary of the [I-270 / US 15 Multimodal Study's Environmental Assessment and Alternatives Assessment](#) to the Frederick County Planning Commission for review, comments, and recommendations of a locally preferred alternative.

MOTION: Commissioner White made a motion to adopt staff's recommendation (Alternate 7B) and to add that additional investigation of cost/benefits is conducted for:

- Truck lane restrictions, and
- Park & Ride direct access. *TS - 1:18:14 -to- 1:31:58*

White/ 2nd Brown – Motion Failed 3-3-0-1

Yea -3(Brown, White, Wolfe), **Nay-3**(McClurkin, Floyd, Forrence), **Absent-0, Abstain-1**(Hagen)

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5. COUNTYWIDE COMPREHENSIVE PLAN UPDATE DISCUSSION

- a. CwCP Workshop #1 – Review agency, organization, and public comments from the July 15th and 22nd public hearings and from other written comments. The Planning Commission will be making preliminary revisions to the Public Hearing Draft Plan as part of their final Recommended Plan, to be voted on at a subsequent workshop. (Eric Soter)

MOTION: Commissioner White made a motion to adopt the comments as noted by staff recommendations and review only those comments FcPc members have issue. [TS - 1:41:31](#)

White/ 2nd Forrence - Approved 7-0-0-0

Yea -7(Brown, Floyd, Forrence, Hagen, McClurkin, White, Wolfe), Nay-0, Absent-0, Abstain-0

Staff Clarification of Motion: This motion (above) was intended to provide direction on how the FcPc was to proceed through the review of the public comments. It was later further clarified that the FcPc's two motions (below), regarding both Agency Comments and Organizations/Boards Comments were to concur with the staff comments, unless otherwise noted in the specific motion. The review/motions of the individual comments from a respective region were specific. In that, unless the FcPc makes a specific motion on an individual public comment, the Plan would reflect the 'Draft Plan'. This means that they did not automatically concur with 'staff's comments' on the individual public comments.

i) Review Agency Comments

In response to a comment from County Department of Highways and Transportation (Page A-7) of Agency Comments and specifically a comment on AG-A-04 and TR-A-14, Commissioner Wolfe wanted to reemphasize the need for consideration of County Standards for Farm equipment. In addition, Commission Forrence wanted emphasis noted to DUSWM comments made on Page A-19.

MOTION: Commissioner White made a motion adopt staff response to Agency Comments as FcPc recommendations to support overall Plan. Commissioner Forrence 2nd. [TS - 1:46:40](#) - [TS - 1:51:50](#)

White/ 2nd Forrence: 7-0-0-0 - Approved

Yea -7(Brown, Floyd, Forrence, Hagen, McClurkin, White, Wolfe), Nay-0, Absent-0, Abstain-0

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ii) Review Organization/Board Comments

MOTION: Commissioner White made a motion adopt staff response to Organizations / Boards as FcPc recommendations to support overall Plan except OBO2. Commissioner Forrence 2nd.

White/ 2nd Forrence: 6-0-0-1 – Approved [TS - 1:54:51](#) - [1:56:23](#)

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), Nay-0, Absent-0, Abstain-1(Hagen)

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iii) Review Public Comments

Director Soter noted there would be other adjustments made to the map that he would like to highlight and address at the meeting on the 19th; including additional public comments not included in the current FcPc binders for review.

(1) Adamstown – Planner Goodfellow [TS - 2:01:08](#)

MOTION: (ADP-05) Commissioner Brown made a motion keep East Alco (2300 acres noted) GI. [TS - 2:04:33](#) - [02:13:45](#).

Brown / 2nd Wolf – Motion Failed 2-4-0-1

Yea-2(Brown, Wolfe), Nay-4(Floyd, Forrence, McClurkin, White), Absent-0, Abstain-1(Hagen)

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MOTION: Commissioner White made a motion to adopt staff response to Adamstown Region Draft Plan as FcPc recommendations to Support overall Plan. [TS - 2:16:35](#) - [TS - 2:19:23](#)

White/ 2nd Forrence – Approved 5-1-0-1

Yea-5(Floyd, Forrence, McClurkin, White, Wolfe), **Nay-1** (Brown), **Absent-0**, **Abstain-1**(Hagen)

NOTE: Motion later clarified to indicate that unless FcPc made a specific motion to “reconsider”, the “Draft Plan” will prevail and reflect the FcPc recommendation.

(2) Brunswick – Planner Dimitriou [TS - 2:04:10](#)

There was a [General Consensus](#) to restore GC on the undeveloped parcels for the Ingram’s Property. (BR-P-01) – [TS - 2:23:00](#)

MOTION: Commissioner Forrence made a motion to change the growth area boundary (noted on screen) and the land use plan designation of all the undeveloped property inside of the City of Brunswick’s growth boundary from LDR to AG. [TS - 2:24:15](#) - [TS - 2:33:32](#)

Forrence/ 2nd White – Motion Failed 3-3-0-1

Yea-3(Forrence, McClurkin, White), **Nay-3**(Brown, Floyd, Wolfe), **Absent-0**, **Abstain-1**(Hagen)

MOTION: Commissioner Forrence made a motion change the land use plan designation of properties (referenced in BR-P-13, 14, 21, and 23) from LDR to AG. [TS - 2:36:50](#) - [TS - 2:37:10](#)

Forrence/ 2nd White – Approved 5-1-0-1

Yea-5(Brown, Forrence, McClurkin, White, Wolfe), **Nay-1**(Floyd), **Absent-0**, **Abstain-1**(Hagen)

MOTION: Commissioner Floyd made a motion retain the land use plan designation of GC for property (BR-P-22). [TS - 2:37:40](#) - [TS - 2:38:48](#)

Floyd/ 2nd Brown – Approved 4-2-0-1

Yea-4(Brown, Floyd, McClurkin, Wolfe), **Nay-2**(Forrence, White), **Absent-0**, **Abstain-1**(Hagen)

MOTION: Change zoning from GC to VC along Roundtree Road, comments BR-P-6, 7, 9, 10, & 11. [TS - 2:47:32](#)

Brown/ 2nd Floyd - Approved 5-1-0-1

Yea-5 (Brown, Floyd, McClurkin, White, Wolfe), **Nay-1** (Forrence), **Absent-0**, **Abstain-1** (Hagen)

MOTION: Change land use designation from AG to LDR for large lots in Woodbourne Manor as shown as Alt. #2 on Exhibit B, page BR-14. It was noted that if the recharge area encroached into this area it should not be designated LDR. (BR-P-08). [TS - 2:50:59](#) - [TS - 2:52:41](#)

Brown / 2nd White – Approved 5-0-0-2

Yea-5 (Brown, Floyd, McClurkin, White, Wolfe), **Nay-0**, **Absent-0**, **Abstain-2** (Forrence, Hagen)

MOTION: Support overall Plan in the remainder of this region. [TS - 2:52:56](#)

White / 2nd Brown – Approved 6-0-0-1

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0**, **Absent-0**, **Abstain-1**(Hagen)

LUNCH BREAK 12:30pm to 1:37pm

Commissioner White and Director Soter made clarification regarding the motions made prior to lunch – the FcPc only changed the specific properties as noted all of the rest of DRAFT PLAN recommendations remain

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as proposed / written. They wanted it understood that this is how they will proceed with the remaining regions.

(3) Frederick - Planner Dimitriou TS - 4:06:21

MOTION: Maintain GC Designation.- TS - 4:14:14

Wolfe / 2nd none - Motion Failed - for lack of 2nd

MOTION: Support overall Plan in the remainder of this region. TS - 4:20:35 - TS - 4:27:51

White / 2nd Forrence - Approved 6-0-0-1

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

(4) Middletown - Planner Goodfellow TS - 4:31:01

MOTION: Calvin Waters Property (MD-P-23) change plan designation to match current zoning with respect to NR designation. TS - 4:51:32 - TS - 4:53:37

Brown / 2nd Wolfe - Motion Failed 2-4-0-1

Yea-2 (Brown, Wolfe), **Nay-4** (Forrence, Floyd, McClurkin, White), **Absent-0, Abstain-1** (Hagen)

MOTION: Support overall Plan in the remainder of this region. TS - 4:55:51

White / 2nd Forrence - Approved 4-2-0-1

Yea-4(Floyd, McClurkin, Forrence, White), **Nay-2** (Brown, Wolfe), **Absent-0, Abstain-1** (Hagen)

(5) New Market - Planner Goodfellow TS - 4:56:21

MOTION: Retain GI on H. Payne properties Tax Map P-49, 87, & 177 (NM-P-10).

Brown / 2nd Wolfe - Approved 6-0-0-1 TS - 5:00:49 - TS - 4:59:54

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

MOTION: Support overall Plan in the remainder of this region. TS - 5:02:31

White / 2nd Forrence - Approved 6-0-0-1

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

(6) Thurmont - Planner Superczynski TS - 5:03:21

MOTION: Support overall Plan in this region. TS - 5:20:44

Brown / 2nd Forrence - Approved 6-0-0-1

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

(7) Urbana - Planner Superczynski TS - 5:20:57

MOTION: Change back to Ag-Rural just the portion of property with the animal hospital. (UR-P-05) TS - 5:27:33

Vote: 6-0-0-1 - Approved

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

MOTION: Support overall Plan in the remainder of this region - with direction to staff to bring back for motion for FcPc to revisit land use designation east of 75, south 80 with respect to larger undeveloped properties. TS - 5:49:32

White / 2nd Forrence - Approved 6-0-0-1

Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

(8) Walkersville - Planner Superczynski TS - 5:50:31

MOTION: **Director Soter** noted that this is error should be corrected and FcPc Concurred through **Consensus** (WA-P-01) TS - 5:50:22

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MOTION: Include in growth limits a line due west (natural break point) as noted on screen. (WA-P-05)
TS - 6:01:49

Brown / 2nd Wolfe – Motion Failed 2-4-0-1 TS - 6:02:52
Yea-2 (Brown, Wolfe), **Nay-4** (Floyd, Forrence, McClurkin, White), **Absent-0, Abstain-1** (Hagen)

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MOTION: Change three (3) parcels to Mineral Mining to have Draft Plan match zoning. (WA-P-06)
TS - 6:05:05

White / 2nd Forrence – Approved 5-0-0-2
Yea -5(Brown, Floyd, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-2**(Forrence, Hagen)

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MOTION: Staff to research alternative community growth boundary options - south / west area of Libertytown to include these parcels - looking for natural features. (WA-P-05 AND WA-P-10) TS - 6:14:02

White / 2nd Forrence – Approved 6-0-0-1
Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

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MOTION: Support overall Plan in the remainder of this region with future review of adjustments in Libertytown. TS - 6:16:44

White / 2nd Forrence – Approved 6-0-0-1
Yea -6(Brown, Floyd, Forrence, McClurkin, White, Wolfe), **Nay-0, Absent-0, Abstain-1**(Hagen)

6. ANNOUNCEMENTS..... INFORMATIONAL
a. Upcoming Workshops/Meetings

*** ADJOURNED MEETING AT 3:58 ***

Respectfully Submitted,

Catherine Forrence, Chair

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